

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL MEMORANDUM

HB 62 – SB 1822

March 30, 2009

SUMMARY OF AMENDMENT (004688): Deletes section three of the original bill and replaces it with language requiring the jail of any county or municipality to make a reasonable effort to review documents in the possession of each person arrested for any offense in order to assess the citizenship status of the detainee. If citizenship cannot be determined, the keeper of the jail or other officer shall notify the United States Department of Homeland Security.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue – Not Significant

Increase State Expenditures - \$884,100/One-Time

\$9,514,300/Recurring

\$53,000/Incarceration*

Increase Local Revenue – Not Significant

Increase Local Expenditures – Exceeds \$100,000/Recurring**

Increase Federal Expenditures - \$84,100/Recurring

Other Fiscal Impact - Any decrease in state expenditures as a result of prohibiting the delivery of certain public benefits to illegal immigrants is unquantifiable because it is unknown how many illegal immigrants currently receive such benefits. The process to determine immigrant status will lengthen the application process for many programs within state and local government. This may generate some offsetting costs. Such costs are unquantifiable. The Department of Health indicates that limiting participation in the WIC Program jeopardizes approximately \$127,951,705 in federal funds to the state. The Department of Children's Services indicates that limiting participation in Departmental Programs may jeopardize \$89,326,500 in federal funds to the state.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:


Unchanged from the original bill.

Assumption applied to amendment:

- Any assumption contained in the original bill concerning the cost to local governments for SAVE verification related to DUI and felony arrests would no longer apply to this bill based upon this amendment. However, the local government impact of an increase in local expenditures exceeding \$100,000 remains unchanged due to the SAVE verification costs related to the benefit programs administered at the local level. It is assumed that all counties will still require SAVE access and will be conducting immigration inquiries.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/cce